



# DELTA STEWARDSHIP COUNCIL

A California State Agency

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September 9, 2011

The Honorable Edmund G. Brown, Jr.  
Governor of California  
State Capitol  
Sacramento, CA 95814

**Chair**  
Phil Isenberg

**Members**  
Randy Fiorini  
Gloria Gray  
Patrick Johnston  
Hank Nordhoff  
Don Nottoli  
Felicia Marcus

**Executive Officer**  
P. Joseph Grindstaff

Re: Support for SB 834 (Wolk)

Dear Governor Brown:

I am writing to request your signature on SB 834 (Wolk). This bill would require an integrated water management plan to identify the manner in which it furthers the state policy of reducing reliance on the Delta in order to meet future water supply needs of California. Such action would be taken by investing in improved regional supplies, conservation, and water use efficiency, as specified.

This requirement complements the water supply reliability policies the Delta Stewardship Council has developed in the current draft of the Delta Plan, and is consistent with the elements of the 2009 water bill package adopted into law.

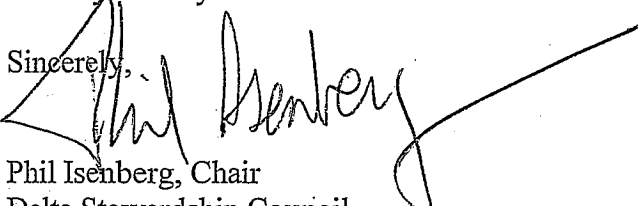
The 2009 water legislation established clear state policy:

The policy of the State of California is to "reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency." Water code Sec 85021. This bill assists in achieving that goal.

Pending our Council meeting later this month, this letter expresses my own position only. I will, however, ask the Delta Stewardship Council to take a position on this legislation, and will advise you of their action.

Thank you for your consideration.

Sincerely,

  
Phil Isenberg, Chair  
Delta Stewardship Council

cc: Senator Lois Wolk  
Nancy McFadden, Governor's Legislative Secretary  
Secretary John Laird  
Mark Cowin, Director DWR

*"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."*

- CA Water Code §85054

## **Delta Stewardship Council**

### **SB 834 (Wolk)**

#### **Summary:**

This bill would require an integrated regional water management plan (IRWMP), for any region that receives water originating in the Sacramento-San Joaquin Delta (Delta) watershed, to identify how the IRWMP would further the existing statewide policy (Water Code §85021) of reducing reliance on the Delta through investments in regional self-reliance as defined in existing statute.

#### **Purpose of the bill:**

The purpose of this bill is to require specific IRWM regions to comply with the statewide policy established in 2009.

#### **Description:**

Under current law, the Integrated Regional Water Management Planning Act of 2002, a regional water management group is authorized, but not required, to prepare and adopt an IRWMP. The Act defined a "regional water management group" as three or more local agencies, at least two of which have statutory authority over water supply or water management, plus those other persons who may be necessary to develop and implement an IRWMP. Much, but not all, of the state is covered by one or more IRWMPs.

In addition, current law provides for periodic review, updating, and amendment of IRWMP's and requires the Department of Water Resources to establish eligibility requirements for state funding.

#### This bill

- adds a legislative finding restating a provision of the Sacramento-San Joaquin Delta Reform Act of 2009 (Act) holding that no provision of that Act diminishes, impairs, or otherwise affects water rights protections provided under the law;
- deletes language stating that an entity must comply with WC §85021 of the Act;
- adds language stating that an entity must further the statewide policy of §85021 and specifies that furthering this policy will be met utilizing any of the following: water use efficiency; water recycling; advanced water technologies; local and regional water supply projects; and improved regional coordination of local and regional water supply projects.

AMENDED IN ASSEMBLY AUGUST 25, 2011

AMENDED IN ASSEMBLY JUNE 29, 2011

AMENDED IN ASSEMBLY JUNE 21, 2011

AMENDED IN SENATE MAY 4, 2011

AMENDED IN SENATE APRIL 13, 2011

**SENATE BILL**

**No. 834**

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**Introduced by Senator Wolk**

(Principal coauthor: Assembly Member Huffman)

**(Coauthor: Senator Hancock)**

(Coauthors: Assembly Members Bonilla, Buchanan, and Galgiani)

February 18, 2011

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An act to amend Section 10540 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 834, as amended, Wolk. Integrated regional water management plans: contents.

The Integrated Regional Water Management Planning Act of 2002 authorizes a regional water management group, as defined, to prepare and adopt an integrated regional water management plan. The act requires an integrated regional water management plan to address specified water quality and water supply matters.

This bill would additionally require an integrated regional water management plan to identify the manner in which the plan ~~complies with~~ *further*s a specified state policy concerning reducing reliance on the Sacramento-San Joaquin Delta for water supply and improving regional self-reliance for water, if the region depends on water from the Delta watershed. The bill would require integrated regional water

management plans to incorporate that requirement when they are developed, updated, or amended in accordance with guidelines established by the Department of Water Resources. For an application for funding for a plan that is made prior to an update or amendment of the plan, the bill would require an applicant to specify how the existing plan advances the specified state policy concerning reducing reliance on the Delta for water supply and improving regional self-reliance for water.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The Sacramento-San Joaquin Delta is a critically important  
4 natural resource for California and the nation.

5 (b) In 2009, the Legislature adopted Section 85054 of the Water  
6 Code to define "coequal goals" as the two goals of providing a  
7 more reliable water supply for California and protecting, restoring,  
8 and enhancing the Sacramento-San Joaquin Delta ecosystem. That  
9 section states that the coequal goals shall be achieved in a manner  
10 that protects and enhances the unique cultural, recreational, natural  
11 resource, and agricultural values of the Delta as an evolving place.

12 (c) The Legislature also adopted Section 85020 of the Water  
13 Code, which sets forth the policy of the state regarding achieving  
14 specified objectives that are inherent in the coequal goals.

15 (d) Furthermore, Section 85021 of the Water Code provides  
16 that it is the policy of the state to reduce reliance on the  
17 Sacramento-San Joaquin Delta in meeting California's future water  
18 supply needs through a statewide strategy of investing in improved  
19 regional supplies, conservation, and water use efficiency.

20 (e) Integrated regional water management plans provide a  
21 mechanism for advancing the policies stated in Sections 85020  
22 and 85021 of the Water Code.

23 (f) *Subdivision (a) of Section 85031 of the Water Code ensures*  
24 *that no provision of the Sacramento-San Joaquin Delta Reform*  
25 *Act of 2009, including Section 85021, diminishes, impairs, or*  
26 *otherwise affects water rights protections provided under the law.*

27 SEC. 2. Section 10540 of the Water Code is amended to read:

1 10540. (a) A regional water management group may prepare  
2 and adopt an integrated regional water management plan in  
3 accordance with this part.

4 (b) A regional water management group may coordinate its  
5 planning activities to address or incorporate all or part of any of  
6 the following actions of its members into its plan:

7 (1) Groundwater management planning pursuant to Part 2.75  
8 (commencing with Section 10750) or other specific groundwater  
9 management authority.

10 (2) Urban water management planning pursuant to Part 2.6  
11 (commencing with Section 10610).

12 (3) The preparation of a water supply assessment required  
13 pursuant to Part 2.10 (commencing with Section 10910).

14 (4) Agricultural water management planning pursuant to Part  
15 2.8 (commencing with Section 10800).

16 (5) City and county general planning pursuant to Section 65350  
17 of the Government Code.

18 (6) Stormwater resource planning that is undertaken pursuant  
19 to Part 2.3 (commencing with Section 10560).

20 (7) Other water resource management planning, including flood  
21 protection, watershed management planning, and multipurpose  
22 program planning.

23 (c) At a minimum, all plans shall address all of the following:

24 (1) Protection and improvement of water supply reliability,  
25 including identification of feasible agricultural and urban water  
26 use efficiency strategies.

27 (2) Identification and consideration of the drinking water quality  
28 of communities within the area of the plan.

29 (3) Protection and improvement of water quality within the area  
30 of the plan, consistent with the relevant basin plan.

31 (4) Identification of any significant threats to groundwater  
32 resources from overdrafting.

33 (5) Protection, restoration, and improvement of stewardship of  
34 aquatic, riparian, and watershed resources within the region.

35 (6) Protection of groundwater resources from contamination.

36 (7) Identification and consideration of the water-related needs  
37 of disadvantaged communities in the area within the boundaries  
38 of the plan.

39 (8) For a region that depends on water from the Delta watershed,  
40 as defined in Section 85060, identification of the manner in which

1 the plan ~~complies with Section 85021.~~ *further the statewide policy*  
2 *in Section 85021, utilizing any of the following:*

3 (A) *Water use efficiency.*

4 (B) *Water recycling.*

5 (C) *Advanced water technologies.*

6 (D) *Local and regional water supply projects.*

7 (E) *Improved regional coordination of local and regional water*  
8 *supply projects.*

9 (d) (1) When plans are developed, updated, or amended in  
10 accordance with department guidelines consistent with subdivision  
11 (i) of Section 10541, the plans shall incorporate the requirements  
12 of paragraph (8) of subdivision (c).

13 (2) On and after January 1, 2012, an applicant for funding for  
14 a plan that applies prior to an update or amendment to the plan  
15 shall specify how the existing plan advances the policy stated in  
16 Section 85021.

17 (e) This section does not obligate a local agency to fund the  
18 implementation of any project or program.